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MITIGATED NEGATIVE DECLARATION

Project Name: Oakmont II Major Subdivision (20 lots); Tentative Map
Project Number(s): 3100 5421 RPL1 (TM); 3910 05-14-003 (ER)

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the
Environmental Initial Study that includes the following:

- a. Initial Study Form
 - b. Environmental Analysis Form and attached extended studies for Biology,
Cultural Resources, Fire Protection, Noise, Drainage, Traffic, and
Stormwater Management Plan
1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.
 2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

I. BIOLOGICAL Resources Conditions:

APPROVAL OF MAP: The conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County (and, where specifically, indicated, shall also be complied with prior to approval of any plans, and issuance of any grading or other permits as specified):

A. BIOLOGICAL EASEMENT: [DPLU, PCC] [DPR TC, GPM] [DGS, RP] [MA, GP, IP]. Intent: In order to protect sensitive biological resources, pursuant to the Biological Mitigation Ordinance (BMO) and in accordance with the California Environmental Quality Act (CEQA), a biological open space easement shall be granted. **Description of Requirement:** Grant to the County of San Diego and the California Department of Fish and Game by separate document, an open space easement, or grant to the California Department of Fish and Game a conservation easement, as shown on the approved Tentative Map. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. The only exceptions to this prohibition are:

1. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
2. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use, Parks and Recreation or the Director of Public Works.

Documentation: The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation

with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the recorded easement documents to [DPLU, PCC] for approval.

Timing: Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the easements shall be executed and recorded.

Monitoring: The [DGS, RP] shall prepare and approve the easement documents and send them to [DPLU, PCC] and [DPR TC, GPM] for preapproval. The [DPLU, PCC] shall pre-approve the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [DPLU, PCC] for satisfaction of the condition.

- B. LBZ EASEMENT: [DPLU, PCC] [DGS, RP] [MA, GP, IP]. Intent:** In order to protect sensitive biological resources, pursuant to the Biological Mitigation Ordinance (BMO) and in accordance with the California Environmental Quality Act (CEQA), a Limited Building Zone Easement shall be granted to limit the need to clear or modify vegetation for fire protection purposes within an adjacent biological resource area. **Description of Requirement:** Grant to the County of San Diego a Limited Building Zone Easement as shown on the Tentative Map. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

1. Decking, fences, and similar facilities.
2. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.

Documentation: The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the recorded easement documents to [DPLU, PCC] for approval.

Timing: Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the easements shall be recorded. **Monitoring:** The [DGS, RP] shall prepare and approve the easement documents and send them to [DPLU, PCC] for pre approval. The [DPLU, PCC] shall preapprove the language and estimated location of the easements before they are released to

the applicant for signature and subsequent recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [DPLU, PCC] for satisfaction of the condition.

C. OFF-SITE MITIGATION: [DPLU, PCC] [MA, GP, IP] [DPR, GPM] Intent: In order to mitigate for the impacts to tier II habitat (Diegan coastal sage scrub), which is a sensitive biological resource pursuant to the Biological Mitigation Ordinance (BMO), off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or provide for the conservation of 5.44 acres of tier II or higher tier habitat, located within a Biological Resource Core Area (BRCA) within the Multiple Species Conservation Program (MSCP) as indicated below.

a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game. The following evidence of purchase shall include the following information to be provided by the mitigation bank:

1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located within a Biological Resource Core Area (BRCA) within the Multiple Species Conservation Program (MSCP) as indicated below:

1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [DPLU, PCC] before purchase or entering into any agreement for purchase.
2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report

Format and Content Requirements to the satisfaction of the Director of DPLU. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of DPLU. The land shall be protected in perpetuity.
4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of DPLU: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.
5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land. Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

Documentation: The applicant shall purchase the off-site mitigation credits and provide the evidence to the [DPLU, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [DPLU PCC] that [DPR, GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the [DPLU, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the [DPLU, ZONING]. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **Monitoring:** The [DPLU, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [DPLU, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [DPLU, ZONING] shall accept an application for an RMP, and [DPLU, PPD] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

D. OFF-SITE MITIGATION: [DPLU, PCC] [MA, GP, IP] [DPR, GPM] Intent: In order to mitigate for the impacts to tier III habitats (chamise chaparral and non-native grassland), which are sensitive biological resources pursuant to the Biological Mitigation Ordinance (BMO), off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or provide for the conservation of 5.32 acres of tier III or higher tier habitat, located within a Biological Resource Core Area (BRCA) within the Multiple Species Conservation Program (MSCP) as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
 1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
 2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
 3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
 4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located within a Biological Resource Core Area (BRCA) within the Multiple Species Conservation Program (MSCP) as indicated below:
 1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [DPLU, PCC] before purchase or entering into any agreement for purchase.
 2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of DPLU. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of DPLU. The land shall be protected in perpetuity.
4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of DPLU: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.
5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land. Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

Documentation: The applicant shall purchase the off-site mitigation credits and provide the evidence to the [DPLU, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [DPLU PCC] that [DPR, GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the [DPLU, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the [DPLU, ZONING]. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **Monitoring:** The [DPLU, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [DPLU, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [DPLU, ZONING] shall accept an application for an RMP, and [DPLU, PPD] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

- E. OPEN SPACE SIGNAGE: [DPLU, PCC] [MA, GP, IP]. Intent:** In order to protect the proposed open space easement from entry, informational signs shall be installed. **Description of Requirement:** Open space signs shall be placed along the biological open space boundaries as indicated on the Open Space Easement, Fencing and Signage Exhibit. The signs must be corrosion resistant,

a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources
Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego, Department of Planning and Land Use
Reference: TM 5421, ER 05-14-003

Documentation: The applicant shall install the signs as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor that the open space signs have been installed at the boundary of the open space easements. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the open space signs shall be installed. **Monitoring:** The [DPLU, PCC] shall review the photos and statement for compliance with this condition.

F. OPEN SPACE FENCING: [DPLU, PCC] [MA, GP, IP].

Intent: In order to protect the proposed open space easement from entry, and disturbance, permanent fencing may be installed. **Description of Requirement:**

Open space fencing shall be placed along the biological open space boundary as indicated on the Open Space Easement, Fencing and Signage Exhibit. The fencing design shall consist of high tensile wire fencing at least 4 feet in height.

Documentation: The applicant shall install the fencing or walls as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor that the open space fencing has been installed.

Timing: Prior to the approval of the and prior to the approval of any plan and issuance of any permit, the fencing shall be placed. **Monitoring:** The [DPLU, PCC] shall review the photos and statement for compliance with this condition.

G. RESOURCE MANAGEMENT PLAN: [DPLU, PPD] [DPR, GPM] [MA, GP, IP]

Intent: In order to provide for the long-term management of the proposed open space preserve, a Resource Management Plan (RMP) shall be prepared and implemented. **Description of Requirement:** Submit to and receive approval from the Director of the Department of Planning and Land Use, a Resource Management Plan (RMP). The RMP shall be for the perpetual management of a biological open space easement containing sensitive habitats, plants and wildlife species. The RMP shall be consistent with the conceptual RMP dated November, 2009 on file with the Department of Planning and Land Use as Environmental Review Number 05-14-003. The plan shall be prepared and

approved pursuant to the most current version of the [County of San Diego Biological Report Format and Content Requirements](#). The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of DPLU and in cases where DPR has agreed to be the owner and/or manager, to the satisfaction of the Director of DPR.

- a. The plan shall be prepared and approved pursuant to the most current version of the [County of San Diego Biological Report Format and Content Requirements](#).
- b. The habitat land to be managed shall be completely purchased.
- c. The easements shall be dedicated to ensure that the land is protected in perpetuity.
- d. A Resource Manager shall be selected and evidence provided by applicant as to the acceptance of this responsibility by the proposed Resource Manager
- e. The RMP funding mechanism shall be identified and approved by the County to fund annual costs for basic stewardship.
- f. A contract between applicant and County shall be executed for the implementation of the RMP.

Documentation: The applicant shall prepare the RMP and submit it to the [DPLU, ZONING] and pay all applicable review fees. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the RMP shall be approved. **Monitoring:** The [DPLU, PPD] shall review the RMP for compliance with the content guidelines, the conceptual RMP, and this condition.

PRE-CONSTRUCTION MEETING: (Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances.)

- H. **“TEMPORARY FENCING: [DPLU, PCC] [DPW, PDCI] [PC]. Intent:** In order to prevent inadvertent disturbance to biological open space easements, temporary construction fencing shall be installed. **Description of Requirement:** Prior to the commencement of any grading and or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect

from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing.

1. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary.
2. The placement of such fencing shall be approved by the DPLU, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed.

Documentation: The applicant shall provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located on the boundary of the open space easements. The applicant shall submit photos of the fencing along with the certification letter to the [DPLU, PCC] for approval. **Timing:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. **Monitoring:** The [DPLU, PCC] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant.”

I. “RESOURCE AVOIDANCE: [DPLU, PCC] [DPW, PDCI].

Intent: In order to avoid impacts to migratory birds, which are a sensitive biological resource pursuant to the federal Migratory Bird Treaty Act, a Resource Avoidance Area (RAA), shall be implemented on all plans. **Description of Requirement:** There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of known migratory bird nesting locations during the breeding season of migratory birds within Resource Avoidance Area (RAA) “A” as indicated on these plans. The breeding season is defined as occurring between January 15 and August 31. The Director of Planning and Land Use [DPLU, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, provided that no migratory birds are present in the vicinity of the brushing, clearing or grading. **Documentation:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, No Grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **Timing:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the

Wildlife Agencies. **Monitoring:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [DPLU, PCC] is received. The [DPLU, PCC] shall review the concurrence letter.”

FINAL GRADING RELEASE: *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

J. OPEN SPACE SIGNAGE & FENCING: [DPLU, PCC] [DPW, PDCI] [FG, UO].

Intent: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) for TM 5421, the fencing and signage shall be installed.

Description of Requirement: The permanent fences and open space signs shall be placed along the open space boundaries as shown on these plans and the Approved Conceptual Grading and Development Plan for TM 5421.

- a. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.
- b. The signs must be corrosion resistant, a minimum of 6” x 9” in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

Sensitive Environmental Resources

Area Restricted by Easement

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,

Department of Planning and Land Use

Reference: TM 5421, ER 05-14-003

Documentation: The applicant shall install the fencing and signage and provide the documentation photos and certification statement to the [DPLU, PCC].

Timing: Prior to the occupancy of any structure and prior to Final Grading Release ([Grading Ordinance Sec. 87.421.a.3](#)) the fencing and signage shall be installed. **Monitoring:** The [DPLU, PCC] shall review the photos and statement for compliance with this condition.

- K. “EASEMENT AVOIDANCE: [DPLU, PCC] [DPW, PDCI]. Intent:** In order to protect sensitive resources, pursuant to [County Grading Ordinance Section 87.112](#) the open space easements shall be avoided. **Description of Requirement:** The easement indicated on this plan is for the protection of sensitive environmental resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of

soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. It is unlawful to grade or clear within an open space easement, any disturbance shall constitute a violation of the [County Grading Ordinance Section 87.112](#) and will result in enforcement action and restoration. The only exceptions to this prohibition are:

1. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
2. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use, Parks and Recreation or the Director of Public Works.

Documentation: The applicant shall provide a letter statement to the [DPLU, PCC] stating that all Sensitive Resource Easements were avoided during the grading construction, and that no impacts or encroachment into the open space occurred. **Timing:** Prior to Final Grading Release the letter verifying the easements were not disturbed shall be submitted. **Monitoring:** The [DPW, PDCI] shall not allow any grading, clearing or encroachment into the open space easement.”

II. CULTURAL Resource Conditions:

APPROVAL OF MAP: The conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County (and, where specifically, indicated, shall also be complied with prior to approval of any plans, and issuance of any grading or other permits as specified):

A. ARTIFACT CURATION: [DPLU, PCC] [MA, GP, IP]

Intent: In order to ensure that all cultural resource artifacts that were discovered during the survey, testing and evaluation phase are curated for future research and study, the artifacts shall be curated in a County approved curation facility. **Description of Requirement:** All archaeological materials recovered by Brian F. Smith and Associates with during the work reported in "A Cultural Resource Study of the Oakmont II Project" dated July 11, 2006 submitted on November 7,

2009, have been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. **Documentation:** The applicant shall provide a letter from the curation facility, which identifies that the archaeological materials referenced in the final report have been received and that all fees have been paid. **Timing:** Prior to the approval of any plan, issuance of any permit, and prior to approval of any map, the artifacts shall be curated. **Monitoring:** The [DPLU, PCC] shall review the letter from the curation facility for compliance with this condition.

- B. ARCHAEOLOGICAL GRADING MONITORING: [DPLU, PCC] [DPW, ESU] [MA, GP, IP] Intent:** In order to mitigate for potential impacts to undiscovered buried archaeological resources on the project site, a grading monitoring program and potential data recovery program shall be implemented pursuant to the [County of San Diego Guidelines for Determining Significance for Cultural Resources](#) and [CEQA Section 15064.5 and 15064.7](#). **Description of Requirement:** A County approved Principal Investigator (PI) known as the "Project Archaeologist," shall be contracted to perform cultural resource grading monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The following shall be completed:
- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the [County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources](#), and this permit. The contract provided to the County shall include an agreement that the grading monitoring will be completed, and a [Memorandum of Understanding \(MOU\)](#) between the County approved Archaeologist and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.
 - b. The Project Archeologist shall provide Evidence that a Native American of the appropriate tribal affiliation has also been contracted to perform Native American Grading Monitoring for the project.
 - c. The cost of the monitoring shall be added to the grading bonds that will be posted with the Department of Public Works, or bond separately with the Department of Planning and Land Use.

Documentation: The applicant shall provide a copy of the Grading Monitoring Contract, cost estimate, and [MOU](#) to the [DPLU, PCC]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate.

Timing: Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the contract shall be provided. **Monitoring:** The [DPLU, PCC] shall review the contract, [MOU](#) and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [DPW, LDR], for inclusion in the grading bond cost estimate, and grading bonds. The [DPW, PC] shall add the cost of the monitoring to the grading bond costs, and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

CULTURAL RESOURCE GRADING NOTES

PRE-CONSTRUCTION MEETING: *(Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances.)*

(CULTURAL RESOURCES)

- C. ARCHAEOLOGICAL MONITORING: [DPW, PDCI] [DPLU, PCC] [PC] Intent:** In order to comply with Mitigation Monitoring and Reporting Program pursuant to Tentative Map 5421, a Cultural Resource Grading Monitoring Program shall be implemented. **Description of Requirement:** The County approved 'Project Archaeologist,' Native American Monitor, and the DPLU Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Archaeologist and Native American Monitor shall monitor open space fence placement near CA-SDI-17,903 and all original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The grading monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archeological and Historic Resources. **Documentation:** The applicant shall have the contracted Project Archeologist and Native American attend the preconstruction meeting to explain the monitoring requirements. **Timing:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **Monitoring:** The [DPW, PDCI] shall invite the [DPLU, PCC] to the preconstruction conference to coordinate the Cultural Resource Monitoring requirements of this condition. The [DPLU, PCC] shall attend the preconstruction conference and confirm the attendance of the approved Project Archeologist.

DURING CONSTRUCTION: *(The following actions shall occur throughout the duration of the grading construction).*

(CULTURAL RESOURCES)

- D. ARCHAEOLOGICAL MONITORING: [DPW, PDCI] [DPLU, PCC] Intent:** In order to comply with Mitigation Monitoring and Reporting Program pursuant to Tentative Map 5421, and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archeological and Historic Resources](#), a Cultural Resource Grading Monitoring Program shall be implemented. **Description of Requirement:** The Project Archaeologist and Native American Monitor shall monitor open space fence placement near CA-SDI-17,903 and all original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The grading monitoring program shall comply with the following requirements during grading:
- a. “During the original cutting of previously undisturbed deposits, the Project Archaeologist and Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Native American Monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Project Archaeologist.”
 - b. “In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the DPLU Staff Archaeologist. The Project Archaeologist, in consultation with the Staff Archaeologist, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the Staff Archaeologist has concurred with the evaluation. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Project Archaeologist and approved by the Staff Archaeologist, then carried out using professional archaeological methods.”
 - c. “If any human bones are discovered, the Project Archaeologist shall contact the County Coroner and DPLU Staff Archaeologist. If the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted by the Project Archaeologist in order to determine proper treatment and disposition of the remains.”

- d. "The Project Archaeologist shall submit monthly status reports to the Director of Planning and Land Use starting from the date of the Notice to Proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction."

Documentation: The applicant shall implement the grading monitoring program pursuant to this condition. **Timing:** The following actions shall occur throughout the duration of the grading construction. **Monitoring:** The [DPW, PDC] shall make sure that the Project Archeologist is on-site performing the Monitoring duties of this condition. The [DPW, PDC] shall contact the [DPLU, PCC] if the Project Archeologist or applicant fails to comply with this condition.

ROUGH GRADING: *(Prior to rough grading approval and issuance of any building permit).*

(CULTURAL RESOURCES)

- E. **ARCHAEOLOGICAL MONITORING: [DPLU, PCC] [RG, BP]. Intent:** In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to Tentative Map 5421, and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources](#), a Grading Monitoring Program shall be implemented. **Description of Requirement:** The Project Archaeologist shall prepare one of the following letters upon completion of the grading activities that require monitoring:

- a. If **no archaeological resources** are encountered during grading, then submit a final Negative Letter Report that substantiates the grading activities and that no cultural resources were encountered. The report must include all monitoring logs showing the date and time that the monitor was on site and any comments from the Native American monitor.
- b. If archaeological **resources were encountered** during grading, the Project Archaeologist shall provide a letter stating that the field grading monitoring activities have been completed, and that resources have been encountered. The letter shall detail any discoveries, as well as the anticipated time schedule for completion of the curation phase of the monitoring.

Documentation: The applicant shall submit the letter report to the [DPLU, PCC] for review and approval. **Timing:** Upon completion of all grading activities, and prior to Rough Grading final Inspection ([Grading Ordinance SEC 87.421.a.2](#)), the letter report shall be completed. **Monitoring:** The [DPLU, PCC] shall review the final negative letter report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

FINAL GRADING RELEASE: *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

(CULTURAL RESOURCES)

F. ARCHAEOLOGICAL MONITORING: [DPLU, PCC] [RG, BP]. Intent: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to Tentative Map 5421, and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources](#), a Grading Monitoring Program shall be implemented.

Description of Requirement: The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during grading. The report shall include the following:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Evidence that all cultural resources collected during the grading monitoring program have been submitted to a San Diego curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that archaeological materials have been received and that all fees have been paid.
- c. The report must include all monitoring logs showing the date and time that the monitor was on site and any comments from the Native American monitor.
- d. If no cultural resources were discovered, a brief letter to that effect and stating that the grading monitoring activities have been completed, shall

be sent to the Director of Planning and Land Use by the Project Archaeologist.

Documentation: The applicant shall submit the letter report to the [DPLU, PCC] for review and approval. **Timing:** Prior to the occupancy of any structure or use of the premises in reliance, and prior to Final Grading Release ([Grading Ordinance Sec. 87.421.a.3](#)), the final report shall be completed. **Monitoring:** The [DPLU, PCC] shall review the final report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

III. NOISE Conditions:

APPROVAL OF MAP: The conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County (and, where specifically, indicated, shall also be complied with prior to approval of any plans, and issuance of any grading or other permits as specified):

A. NOISE RESTRICTION EASEMENT: [DPLU, BPPR] [DPLU, PCC] [MA].

Intent: In order to reduce the exposure to noise levels in excess of standards established by the [County of San Diego General Plan Noise Element \(Policy 4.b\)](#), and the [County of San Diego CEQA Noise Guidelines for Determining Significance](#), a noise restriction easement shall be placed over the entire area of Lots 1, 2, 3, and 6 to reduce the noise exposure of land uses for sensitive receptors below levels of significance. **Description of requirement:** A Noise Restriction Easement as indicated on the approved Tentative Map 5421, shall be granted on the map. The said easement shall include and shall comply with the following:

- a. Prior to the approval of any Building Plan and issuance of any Building Permit, a County Approved Acoustical Consultant, shall perform an acoustical analysis, which demonstrates that the proposed **residential dwelling** unit(s) will not be exposed to present and anticipated future noise levels exceeding the allowable sound level limit of the General Plan community noise equivalent levels (CNEL) of 45 dB for interior noise, and a (CNEL) of 60dB for exterior noise levels. Exterior noise sensitive land uses include all Group or Private Usable Open Space as defined by [the General Plan Noise Element \(Policy 4.b\)](#).
 1. Future traffic noise level estimates, must utilize a Level of Service "C" traffic flow for a Collector roadway for Old Highway 80, which is its designated General Plan Circulation Element buildout roadway classification.

- b. The acoustical analysis shall make recommendations that shall be implemented in the project design and building plans, so the proposed structures and project site can comply with the noise standards referenced above.
- c. The unauthorized removal of documented noise control measures at a future date after the initial condition is satisfied shall make the affected noise sensitive land use still subject to this building restriction for protection of these uses before any future building permits can be approved and issued.
- d. Prior to the approval of any Building Plan and issuance of any Building Permit, the applicant shall prepare the acoustic analysis and incorporate the proposed project design recommendations and mitigation measures, into the Building Plans. The applicant shall submit the acoustical analysis along with the building plans to the [DPLU, BD] for review and approval before the building permits can be issued. To the satisfaction of the [DPLU, PCC], the applicant shall revise the building plans or site design to incorporate any additional proposed mitigation measures.

Documentation: The applicant shall indicate the noise restriction easement on the map as indicated on the tentative map. **Timing:** Prior to the approval of the map for Lots 1, 2, 3, and 6, the requirements of this condition shall be completed. **Monitoring:** The [DPW, LDR] shall verify that the easement is indicated on the map, and that the map details the language above.

ROUGH GRADING: *(Prior to rough grading approval and issuance of any building permit).*

B. NOISE REQUIREMENT: [DPLU, PCC] [RG, BP].

Intent: In order to reduce the exposure to noise levels in excess of standards established by the [County of San Diego General Plan Noise Element \(Policy 4.b\)](#), as evaluated in the [County of San Diego Noise Guidelines for Determining Significance](#), permanent noise barriers shall be installed to mitigate the noise exposure of land uses for sensitive receptors below levels of significance.

Description of Requirement: A signed, stamped statement from a California Registered Engineer or licensed surveyor, and photographic evidence that the permanent noise barriers have been constructed on Lots 2, 3 and 6 pursuant to the approved grading plan.

- a. The noise wall would be vary from five (5') feet to eight (8') in height relative to the grade elevation of Pads 2, 3 and 6. Construction of the

permanent noise wall will have a minimum surface density of 3.5 pounds per square foot, consisting of masonry, wood, berm, plastic, fiberglass, steel or a combination of these materials with no cracks or gaps through or below the wall.

- b. Lot 2 would require an eight (8') foot high L-shaped noise barrier located along the southern pad edge facing Old Highway 80. The proposed barrier at Lot 2 will run approximately 65 feet southeast along the southwest pad edge to the southeastern corner, with a return northeast extending an additional 60 feet.
- c. Lot 3 would require a five (5') foot high L-shaped noise barrier that extends approximately 65 feet southeast along the southwest pad edge to the southeastern corner, where it returns northeast extending an additional 60 feet.
- d. Lot 6 would require a five (5') foot high L-shaped noise barrier that extends approximately 55 feet southeast along the western pad edge to the southwestern corner, where it returns east extending an additional 65 feet.
- e. Permanent noise wall details and location are discussed in Section: 5.1 Exterior and Figures 9, 10, and 11 within the noise report prepared by Eilar Associates dated December 18, 2008. The Noise Study is on file with the Department of Planning and Land use as Case Number Tentative Map 5421.

Documentation: The applicant shall submit the certification and the letter to the [DPLU, PCC] for review and approval. **Timing:** Upon completion of all grading activities, and prior to Rough Grading final Inspection (Grading Ordinance SEC 87.421.a.2), the certification shall be completed. **Monitoring:** The [DPLU, PCC] shall review the certification and the photos for compliance with this condition, and shall inform [DPW, PDCI] that the requirement is completed.

V. DPW Conditions:

STANDARD CONDITIONS: The "[Standard Conditions \(1-29\) for Tentative Subdivision Maps](#)" approved by the Board of Supervisors on June 16, 2000, and filed with the Clerk, as Resolution No. 00-199 (Attached Herein as Exhibit A), shall be made conditions of this Tentative Map approval. Only the following exceptions to the Standard Conditions set forth in this Resolution or shown on the Tentative Map will be authorized. **The following Standard Subdivision Conditions are hereby waived:**

1. Standard Condition 10.a: Said condition states that all fixtures shall use a low pressure sodium (LPS) vapor light source. This waiver/modification requires use of high pressure sodium (HPS) vapor light source unless within 15 miles radius of Palomar or Mount Laguna observatories (in which case fixtures shall use a low pressure sodium vapor light source) pursuant to direction from the Board of Supervisors [statement of proceedings of 1-29-03].
2. Standard Condition 11: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
3. Standard Conditions 19(a-e): Said conditions pertain to projects for which a grading plan is required. No grading plan is required because no lot grading is proposed. This is a lot sale project.
4. Standard Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.

These recommendations are pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public Road and Private Road Standards, and all other required ordinances of San Diego County except for a waiver or modification of the following County Subdivision Ordinance, County Public Road and Private Road Standards:

1. Public Road Standards, Section 4.5 and County Design Standard Drawings DS-06 for proposed Oakmont Terrace a Residential Collector Road to allow the road to terminate with an offset cul-de-sac.
2. Public Road Standards, Section 4.5.A., to reduce the right-of-way width for Oakmont Terrace from 60 feet to 55 feet.
3. Public Road Standards, Section 4.2, to allow a minimum horizontal radius of 300 feet to be reduced to 200 feet for Oakmont Terrace Road.
4. Public Road Standards, Section 6.1.C.1 to allow a vertical curve length of 580 feet, required for a minimum design speed of 30 mph, to be reduced to 550 feet for Oakmont Terrace Road.
5. Public Road Standards, Section 6.1.C.1 for proposed private road "A" access on Oakmont Terrace Road, a Non-Circulation Element Road, to allow centerline separations between private road "A" and adjacent school's driveways (westerly and easterly) to be less than 200 feet.

6. Public Road Standards, Section 4.2, to allow the road improvements for Oakmont Terrace Road to be offset within the right-of-way.

The Department of Public Works (DPW) recommends granting the modifications to above listed Public Road Standards to allow the applicant to improve other half-width of Oakmont Terrace Road improvements with minimal disturbance of the school activities and their attendees. The road has existing half-width road improvements and right-of-way constructed to serve Blossom Valley Elementary School. If these modifications are not granted the entire school access road need to be reconstructed.

APPROVAL OF MAP: THE FOLLOWING SPECIFIC CONDITIONS SHALL BE COMPLIED WITH BEFORE A MAP IS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND FILED WITH THE COUNTY OF SAN DIEGO RECORDER: (and where specifically, indicated, conditions shall also be complied with prior to the approval and issuance of grading or other permits as specified):

1. PUBLIC ROAD IMPROVEMENTS: [DPW, LDR], [DPR, TC] [MA]

Intent: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.403](#) and the Community Trails Master Plan **Oakmont Terrace, Oak Creek Road, Flinn Springs Road, and Olde Highway 80** shall be improved. **Description of requirement:** Improve or agree to improve and provide security for the project side as follows:

- a. **Oakmont Terrace** along the project frontage for the currently improved portion of Oakmont Terrace in accordance with Public Road Standards for a Residential Collector, to a graded width of thirty-feet (30') from centerline and to an improved width of twenty-feet (20') from centerline with asphalt concrete pavement over approved base with Portland cement concrete curb and gutter with face of curb at twenty-feet (20') from centerline and five-foot (5') disintegrated granite (D.G.) walkway adjacent to the curb. The existing pavement width of twenty-feet (20') from centerline shall remain and all distressed sections shall be replaced. Provide a driveway curb opening to the existing school's west driveway from Oakmont Terrace cul-de-sac.
- b. **Oakmont Terrace** shall terminate with an offset cul-de-sac graded to a radius of forty-eight feet (48') and surfaced to a minimum radius of thirty-eight feet (38') with asphalt concrete pavement over approved base with Portland cement concrete curb and gutter with face of cub at minimum thirty-eight feet (38') from the radius point and five-foot (5') D.G. walkway adjacent to the curb.

- c. **Oak Creek Road** along the project frontage from Oakmont Terrace to southeast property line for Lot 17 with Public Road Standards for a Residential Collector, to a graded width of thirty-feet (30') from centerline and to an improved width of twenty-feet (20') from centerline with asphalt concrete pavement over approved base with asphalt concrete dike, with face of dike at twenty-feet (20') from centerline and five-foot (5') D.G. walkway adjacent to the dike.
- d. **Oak Creek Road** along the project frontage from southeast property line for Lot 17 to west property line for Lot 16 with Public Road Standards for a Hillside Residential Street – Category 2, to a graded width of nineteen-feet (19') from centerline and to an improved width of fourteen-feet (14') from centerline with asphalt concrete pavement over approved base with asphalt concrete dike, with face of dike at twenty-feet (14') from centerline and five-foot (5') D.G. walkway adjacent to the dike.
- e. **Flinn Springs Road** along the project frontages in accordance with Public Road Standards for a Residential Collector, to a graded width of thirty-feet (30') from centerline and to an improved width of twenty-feet (20') from centerline with asphalt concrete pavement over approved base with asphalt concrete dike, with face of dike at twenty-feet (20') from centerline and five-foot (5') D.G. walkway adjacent to the dike.
- f. **Olde Highway 80 (SA 895)** along the project frontage in accordance with Public Road Standards for a Collector road, to a graded width of forty-two feet (42') from centerline and to an improved width of thirty-two feet (32') from centerline with asphalt concrete pavement over approved base with asphalt concrete dike, with face of dike at thirty-two feet (32') from centerline and taper transition to match existing pavement (both westerly and easterly) with additional width to accommodate acceleration and deceleration lanes as needed. NOTE: There is a parking prohibition along Olde Highway 80 along the project frontage, therefore the additional width for a bike lane has not been included.
- g. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing.

All plans and improvements for the foregoing requirements shall be completed to the satisfaction of the Director of Public Works and pursuant to the [County of San Diego Public Road Standards](#), the DPW [Land Development Improvement Plan Checking Manual](#) and the Community Trails Master Plan. The

improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **Documentation:** The applicant shall complete the following:

- a. Process and obtain approval of Improvement Plans to improve Oakmont Terrace, Oak Creek Road, Flinn Springs Road, and Olde Highway 80.
- b. Provide Secured agreements require posting security in accordance with [Subdivision Ordinance Sec. 81.405 through 81.406.1.](#)
- c. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDCI].
- d. If the applicant is a representative, then a one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.
- e. Obtain approval for the design and construction of all driveways, turnarounds, and private easement road improvements to the satisfaction of the Lakeside Fire Protection District and the Director of Public Works. [DPW, LDR].

Timing: Prior to the approval of the map all the plans, agreements, and securities shall be approved. **Monitoring:** The [DPW, LDR] and [DPR, TC, PP] shall review the plans for constancy with the condition and County Standards. Upon approval of the plans [DPW, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of DPW.

2. PRIVATE ROAD IMPROVEMENTS: [DPW, LDR], [MA]

Intent: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.403](#), **Street "A", Street "B", and Street "C"** shall be improved. **Description of requirement:** Improve or agree to improve and provide security for the private road easements as follows:

- a. **Street "A"** from Oakmont Terrace to the cul-de-sac at Lot 16, to a graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base with asphalt concrete dike at twelve-feet (12') from centerline. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply.

- b. **Street “B”** from Olde Highway 80 to Lot 5, to a graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base with asphalt concrete dike at twelve-feet (12') from centerline. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply.
- c. **Street “C” from Oakmont Terrace** cul-de-sac to Lot 12, to a graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base with asphalt concrete dike at twelve-feet (12') from centerline. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply.
- d. **Streets “A”, “B”, and “C”** shall terminate with a cul-de-sac graded to a radius of thirty-eight feet (38'), and surfaced to a radius of thirty-six feet (36') with asphalt concrete pavement over approved base with asphalt concrete dike with face dike at thirty-six feet (36') from the radius point.

All plans and improvements for the foregoing requirements shall be completed to the satisfaction of the Director of Public Works and pursuant to the County of San Diego Private Road Standards and the DPW [Land Development Improvement Plan Checking Manual](#). The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **Documentation:** The applicant shall complete the following:

- a. Process and obtain approval of Improvement Plans to improve private road easements for Streets “A”, “B”, and “C”.
- b. Provide Secured agreements require posting security in accordance with [Subdivision Ordinance Sec. 81.405 through 81.406.1](#).
- c. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC].
- d. Obtain approval for the design and construction of all driveways, turnarounds, and private easement road improvements to the satisfaction of the Lakeside Fire Protection District and the Director of Public Works. [DPW, LDR].

- e. If the applicant is a representative, then a one of the following is required:
a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

Timing: Prior to the approval of the final map the plans, agreements, and securities shall be approved.. **Monitoring:** The [DPW, LDR] shall review the plans for constancy with the condition and County Standards. Upon approval of the plans [DPW, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of DPW.

3. PAVEMENT CUT POLICY: [DPW, LDR] [GP, IP,MA]

Intent: In order to prohibit trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface, and to comply with County Policy RO-7 adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **Description of requirement:** All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **Documentation:** The applicant shall sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy to the satisfaction of the Department of Public Works (DPW), and submit it to the [DPW LDR] for review. **Timing:** Prior to the approval improvement plans and the approval of the map the letters shall be submitted for approval. **Monitoring:** The [DPW, LDR] shall review the signed letters.

4. SIGHT DISTANCE: [DPW, LDR] [MA]

Intent: In order to comply with the Design Standards of Section 6.1.(E) of the [County of San Diego Public Road Standards](#) and Section 3.2 (G) of the [County of San Diego Private Road Standards](#) , an unobstructed view for safety while exiting the property and accessing a public road from the site, and unobstructed sight distance along the public road shall be verified. **Description of requirement:** Have a Registered Civil Engineer, a Registered Traffic Engineer, or a Licensed Land Surveyor provide the following certified signed statements that:

- a. Physically, there is a minimum unobstructed sight distance in both directions along Oak Creek Road from the Oakmont Terrace Road, for the prevailing operating speed of traffic on Oak Creek Road.

- b. Physically, there is a minimum unobstructed sight distance in both directions along Old Highway 80 Road from the proposed Street "B" and driveway on Lot 2, for the prevailing operating speed of traffic on Old Highway 80 Road.
- c. Physically, there is a minimum unobstructed sight distance in both directions along Flinn Springs Road from the proposed driveways for Lot 1 and Lot 2, for the prevailing operating speed of traffic on Flinn Springs Road.
- d. For all foregoing intersections, if the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: Said lines of sight fall within the existing right-of-way and a clear space easement is not required."
- e. For all foregoing intersections, the engineer or surveyor shall further certify that: "The sight distance of adjacent driveways and street openings will not be adversely affected by this project."

Documentation: The applicant shall complete the certifications and submit them to the [DPW, LDR] for review. **Timing:** Prior to the approval of the final map the sight distance at all foreword intersections shall be verified.

Monitoring: The [DPW, LDR] shall verify the sight distance certifications.

5. DRAINAGE MAINTENANCE AGREEMENTS: [DPW, LDR], [MA]

Intent: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.403](#) and to comply with the [County Flood Damage Prevention Ordinance \(Title 8, Division 11\)](#), [County Watershed Protection Ordinance \(WPO\) No.9926](#), [County Code Section 67.801 et. seq.](#), the maintenance agreements shall be completed. **Description of requirement:**

- a. The private storm drain system shall be maintained by a maintenance mechanism such as a homeowners association or other private entity to the satisfaction of the Director of Public Works.

Documentation: The applicant shall complete the following process and obtain approval of the engineers report, and pay the deposit and applicable review fees.

Timing: Prior to the approval of the map the agreements, and securities shall be approved. **Monitoring:** The [DPW,LDR] shall review the agreements/mechanisms for constancy with the condition and County Standards.

6. EROSION CONTROL: [DPW, LDR] [DPW, PDCI] [MA, IP, GP].

Intent: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 9926](#) and all other applicable ordinances and standards for this priority project. **Description of Requirement:** The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Management Plan (SWMP) and Stormwater Protection Plan (SWPP), including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided pursuant to [Subdivision Ordinance 81.406](#), for an amount equal to the cost of this work as determined or approved by the [DPW, LDR], in accordance with the [County of San Diego Grading Ordinance Section 87.304\(e\)](#). The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures.
- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date agreed.

Documentation: The applicant shall provide the letter of agreement and any additional security and or cash deposit to the [DPW, LDR] for approval with the final submittal of all grading and improvement plans for the subdivision and required improvements as indicated above. **Timing:** Prior to approval of the subdivision map, and the approval of any plan and the issuance of any permit, the agreement and securities shall be executed. **Monitoring:** The [DPW, LDR] shall ensure that the agreement and the securities provided adequately satisfy the requirements of this conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. The [DPW, PDCI] shall use the securities pursuant to the agreement to implement and enforcement the required stormwater and erosion control measures pursuant to this condition during all construction phases as long as there are open and valid permits for the site.

7. ROAD DEDICATION (ONSITE ONLY): [DPW, LDR] [DGS, RP] [MA].

Intent: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.403](#), road right of way shall be dedicated to the County. **Description of requirement:** Dedicate on the map to the County of San Diego an easement for road purposes along the project frontage in accordance with [County of San Diego Public Road Standards](#) and Community Trails Master Plan that provides a right-of-way width together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works as follows:

- a. **Oakmont Terrace** for a Residential Collector to a right-of-way width of fifty-five feet (55').
- b. **Oak Creek Road** from Oakmont Terrace Road to southeast property line for Lot 17 for a Residential Collector to a right-of-way width of sixty-feet (60').
- c. **Oak Creek Road** from southeast property line for Lot 17 to west property line for Lot 16 for a Hillside Residential Street – Category 2, to a right-of-way width of fifty-feet (50').
- d. **Flinn Springs Road** for a Residential Collector to a right-of-way width of sixty-feet (60').

The dedication shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, and shall be accepted for public use. The affected utility company/district shall enter into a joint use agreement with the County of San Diego to the satisfaction of the County of San Diego, Director of Public Works. **Documentation:** The applicant shall dedicate the easement on the map and show them as accepted. **Timing:** Prior to the approval of the Final map for this project, the onsite dedication shall be provided for roads. **Monitoring:** The [DPW, LDR] shall verify that the dedications are indicated on the map and accepted by the County.

8. CENTERLINE LOCATION: [DPW, LDR] [MA].

Intent: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.403](#), the centerline of **Olde Highway 80 (SA 895)** shall be shown on the subdivision map. **Description of requirement:** The desired location of the centerline for Olde Highway 80 (SA 895) shall be determined, which is shown on the Circulation Element of the County General Plan as a Collector Road with a bike lane. The following shall be shown on the Final Map:

- a. The centerline location as approved by the Department of Public Works.

Documentation: The applicant shall indicate the centerlines on the map as indicated above. **Timing:** Prior to the approval of the final map or parcel map for this project the centerline shall be indicated on the map. **Monitoring:** The [DPW, LDR] shall verify that the centerline is indicated on the map.

9. PRIVATE ROAD MAINTENANCE AGREEMENT: [DPW, LDR] [MA].

Intent: In order to comply with the Subdivision Ordinance Sec. 81.402 (c), and ensure that the private roads approved with this subdivision are maintained, the applicant shall assume responsibility of the private roads. **Description of Requirement:** A maintenance agreement shall be executed that indicates the following:

- a. Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of Public Works.
- b. The Director of Public Works shall be notified as to the final disposition of title (ownership) to Streets A, B, and C, and place a note on the Final Map as to the final title status of said roads.
- c. Access to each lot shall be provided by private road easement not less than forty feet (40') wide.

Documentation: The applicant shall sign the private road maintenance agreement to the satisfaction of the Director of DPW and indicate the ownership on the map as indicated above. **Timing:** Prior to the approval of the map for this project the agreement shall be executed and the ownership shall be indicated on the map. **Monitoring:** The [DPW, LDR] shall review the executed agreement and the map for compliance with this condition.

10. RELINQUISH ACCESS: [DPW, LDR] [DGS, RP] [MA]

Intent: In order to promote orderly development and to comply with the [Public Facilities Element and the Circulation element of the General Plan](#), access shall be relinquished for public roads. **Description of requirement:** Relinquish access rights onto Olde Highway 80 (SA 895) except for one (1) private road easement (Street "B"). The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required. Only the Street "B" access point is permitted along Olde Highway 80 (SA 895). **Documentation:** The applicant shall prepare the legal descriptions and documents and present them for review and to [DGS, RP]. Upon execution of the relinquishment documents, the applicant shall provide copies of the documents to [DPW, LDR] for review. **Timing:** Prior to the approval of the final map for this project the access shall be relinquished. **Monitoring:** The [DGS,

RPJ shall prepare and execute the relinquishment documents and forward a copy of the recorded documents to *[DPW, LDR]* for review and approval.

ORDINANCE COMPLIANCE NOTIFICATIONS: The project is subject to, but not limited to the following County of San Diego, State of California, and US Federal Government, Ordinances, Permits, and Requirements:

STORMWATER ORDINANCE COMPLIANCE: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 9926](#) and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Management Plan received November 11, 2009, all requirements for Low Impact Development (LID), materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that the property owner keep additional and updated information onsite concerning stormwater runoff. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

LOW IMPACT DEVELOPMENT NOTICE: On January 24, 2007, the San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning January 25, 2008. *Project design shall be in compliance with the new Municipal Permit regulations.* The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link on Page 19, Section D.1.d (4), subsections (a) and (b):

http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/sd_permit/r9_2007_0001/2007_0001final.pdf.

<http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf>.

The County has provided a LID Handbook as a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. See link above.

CONSTRUCTION PERMIT REQUIRED: A Construction Permit and/or Encroachment Permit for any and all work within the County road right-of-way. Contact DPW

Construction/Road right-of-way Permits Services Section, (858) 694-3275, to coordinate departmental requirements. In addition, before trimming, removing or planting trees or shrubs in the County Road right-of-way, the applicant must first obtain a permit to remove plant or trim shrubs or trees from the Permit Services Section.

ENCROACHMENT PERMIT REQUIRED: An Encroachment Permit from the Department of Public Works for any and all proposed/existing facilities within the County right-of-way. Olde Highway 80 (CE Route #SA 895) is shown as a Collector Road on the Circulation Element of the County General Plan. At the time of construction of future road improvements, the proposed facilities shall be relocated at no cost to the County, to the satisfaction of the Director of Public Works.

EXCAVATION PERMIT REQUIRED: Obtain an excavation permit from the County Department of Public Works for undergrounding and/or relocation of utilities within the County right-of-way.

TRANSPORTATION IMPACT FEE: The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to County TIF Ordinance number 77.201 – 77.219. The Transportation Impact Fee (TIF) shall be paid. The fee is required for the entire project, or it can be paid at building permit issuance for each phase of the project. The fee is calculated pursuant to the ordinance at the time of building permit issuance. The applicant shall pay the TIF at the [DPW, Land Development Counter] and provide a copy of the receipt to the [DPLU, Building Division Technician] at time of permit issuance.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

None identified at this time

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

on _____
Jarrett Ramaiya, Planning Manager
Project Planning Division